

REMARKS

Claims 1-17 are pending in this application. Claims 15, 16 and 17 have been added by amendment above. Support for claims 15 and 16 comes from claim 1 as originally presented; each claim is directed to a subset of compounds within the original scope of claim 1. Claim 15 focuses on compounds in which X is $>C_{1-6}$ alkylene, $>C=O$ or $>C=S$. Claim 16 focuses on compounds in which R_1 and R_2 , but not R, can be hydrogen. Claim 17 is supported by claim 2 as originally presented.

Applicants note with appreciation that the elected species has been searched and deemed to be free of the prior art and that the subject matter of claim 8 therefore is allowable, although the claim has been objected to in the Office Action as it depends from a rejected base claim. Applicants address that rejection below.

Claims 12 and 13 were objected to under 35 U.S.C. §1.75(c) as being in improper form because a multiple dependent claim must depend from preceding claims in the alternate only. Applicants respectfully submit that the examiner apparently overlooked the Preliminary Amendment which was filed when this application entered the U.S. national phase. In that Amendment, claim 11 was rewritten as an independent claim. Claim 12 depends only from claim 11.

Claim 3 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite in that the term "R" is not defined in the claim. This rejection has been obviated by the amendment above to claim 3.

Claim 11 also was rejected under 35 U.S.C. §112, second paragraph, as indefinite on the basis that a broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation in the same claim is considered indefinite, as the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. This rejection has been obviated by the amendments above to claim 11.

Claims 12 and 13 were rejected under 35 U.S.C. §112, second paragraph, on the basis that claims which depend from indefinite claims also are indefinite. This rejection has been obviated by the amendments above to claim 11.

Claims 1-7, 9-11 and 14 have been rejected under 35 U.S.C. §102(B) as clearly anticipated by the CAPLUS abstract. The examiner asserted that the reference teaches Applicants' compounds, such as RN=60330-48-5. This rejection is traversed.

Claim 1 has been amended to exclude from the scope of the claim compounds in which Y is hydrogen. This amendment clearly distinguishes the compounds encompassed by claim 1 from the compound 60330-48-5 of the cited reference. The prior art compound comprises a $\text{-C(O)-CH}_2\text{-NH}_2$ group attached to the benzene ring. In the compounds of claim 1 as amended, the corresponding group has the formula $\text{-C(O)-CH}_2\text{-NH-Y}$, wherein Y is any of a wide variety of substituents other than hydrogen. There is no teaching or suggestion in the cited reference of a compound in which the terminal amino group carries any of the substituents listed in claim 1. As

claim 1 is not anticipated by the reference, neither are any of the claims dependent upon claim 1.

New claims 15 and 16 also are not anticipated by the CAPLUS abstract. Each of the compounds of claim 15 comprises a $>\text{CH}_{1-6}$ alkylene group, a $>\text{C}=\text{O}$ group or a $>\text{C}=\text{S}$ group attached to the $-\text{NH}-$ group of the carbonyl-containing substituent on the benzene ring. The compound of the reference does not comprise such a group. In claim 16, the benzene ring of the compounds claimed carries, in addition to a (substituted) amino group and the carbonyl-containing substituent, an additional non-hydrogen substituent. The reference does not disclose such compounds. As neither of claims 16 nor 17 is anticipated by the reference, dependent claim 17 also is not anticipated.

Applicants submit that in view of the foregoing amendments and discussion the pending claims of the application are in condition for allowance.

<input checked="" type="checkbox"/> Customer Number or Bar Code Label 6449					
Name	Barbara G. Ernst, Reg. No. 30,377				
Signature	/ Barbara G. Ernst /			Date	November 15, 2007
Address	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031